



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER OF PATENTS AND TRADEMARKS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/620,563	07/20/2000	June Dianne Martin	52493.000102	3863

7590

06/04/2003

Hunton & Williams,
Suite 1200
1900 K Street, N. W.,
Washington, DC 20006-1109

EXAMINER

SHAFFER, ERIC T

ART UNIT

PAPER NUMBER

3623

DATE MAILED: 06/04/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/620,563

Applicant(s)

MARTIN ET AL.

Examiner

Eric T. Shaffer

Art Unit

3623

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 20 July 2000.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-46 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-46 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 20 July 2000 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 5.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

1. The following is an initial Office Action upon examination of the above-identified application on the merits. Claims 1 – 46 are pending in this application.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

3. Claims 1 – 8, 16 – 18, 25 - 27 and 33 – 40 are rejected under 35 U.S.C. 102(e) as being anticipated by Ruffin et al (US 6,249,769).

As per claims 1 and 33, Ruffin et al discloses a system and method for implementing an image-based document handling and delivery system, comprising:

a planning component that gathers information about an infrastructure, a current document handling and delivery system and a methodology used by an entity (column 3, lines 57 – 58, “the present invention provides data gathering facilities for gathering information processing requirements”);

an implementation component that provides the entity with a plurality of process maps that provide a plurality of step-by-step instructions for executing the image-based document handling and delivery system (column 5, line 7, “a detailed flow diagram”);

a control component that provides the entity with a plurality of contingency guidelines and procedures for monitoring and maintaining performance of the executed

Art Unit: 3623

image-based document handling and delivery system, (column 4, lines 4 – 8, “input is solicited from the qualified customer via a profile template to identify, for each partition, information regarding the current state of each partition and any problems that have been identified for the partition, as well as the future information processing objectives for each partition”).

4. As per claims 2, 16, 25 and 34, Ruffin et al discloses system and method for claim 1, wherein the planning component also provides the entity with information about the image-based document handling and delivery system (column 18, lines 44 – 47, “retrieving the particular solution implementation details from the database and incorporating them into a standard business solution proposal document”).

5. As per claims 3 and 35, Ruffin et al discloses system and method of claim 2, wherein the information about the image-based document handling and delivery system comprises a list including a plurality of frequently asked questions and a corresponding answer for each of the frequently asked questions (column 9, line 65 – column 10, line 15, “Table 1, Sample Qualification Questions”, wherein the respondents answers will be compared to a set of standard answers in order to determine if a project is feasible).

6. As per claims 4 and 36, Ruffin et al discloses a system of claim 1, wherein the planning component comprises a questionnaire for the entity to complete (column 3, lines 1 – 3, “a solution would use IT in the form of an automatic set of electronic questionnaires tied to modeling tools”).

7. As per claims 5 and 37, Ruffin et al discloses a system of claim 4, wherein the questionnaire for the entity to complete comprises:

Art Unit: 3623

a plurality of questions related to a plurality of operational issues (column 13, line 60, “Operational Costs”) and a plurality of technical issues (column 9, line 52, “outstanding technical issues”);

a request for a contact list (column 13, line 50, “Primary Contact”).

8. As per claims 6 and 38, Ruffin et al discloses a system and method, wherein the implementation component comprises:

at least one process map (column 8, lines 49 – 50, “a graphical representation of the interrelationship of these programs and data is presented”)

information on a plurality of document formats for use with the image-based document handling and delivery system (column 13, line 58, “Issues/Challenges with current IT infrastructure”) and (column 21, line 21, “performance requirements”).

9. As per claims 7, 17, 26 and 39, Ruffin et al discloses a system and method, wherein the at least one process map comprises:

a process map of the entity's existing document handling and delivery system (column 6, lines 62 – 64, “a flow diagram which represents an overview of the present inventive process, system and program product”);

a process map for at least a portion of the image-based document handling and delivery system (column 8, lines 49 – 50, “a graphical representation of the interrelationship of these programs and data is presented”).

Art Unit: 3623

10. As per claims 8, 18, 27 and 40, Ruffin et al discloses a system and method, wherein the process map for the at least a portion of the image-based document handling and delivery system comprises:

a process map of a plurality of steps to be taken by the entity for executing the image-based document handling and delivery system (column 6, lines 62 – 64, “a flow diagram which represents an overview of the present inventive process, system and program product”);

a process map of a plurality of steps to be taken by a receiver of the document for executing the image-based document handling and delivery system (column 8, lines 49 – 50, “a graphical representation of the interrelationship of these programs and data is presented”).

Claim Rejections - 35 USC § 103

11. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

12. Claims 9 – 15, 19 – 24, 28 – 32 and 41 - 46 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ruffin et al (US 6,249,769) as applied to the claims above, in view of Dan et al (US 6,560,639).

As per claims 9, 19, 28 and 41, Ruffin et al teaches a system and method for evaluating, planning and implementing a business project. Ruffin teaches developing process maps as flow diagrams, project documentation and using questionnaires to define operational and technical

Art Unit: 3623

issues. Ruffin et al does not teach contingency plans for errors, document information in table form or using performance factors to measure implementation of a project.

Dan et al teaches a system and method wherein the information on the plurality of document formats comprises:

a definition of each of the document types (column 3, line 30 - 31, “an optional operational manager may create or modify a definition of an object”);

one or more examples of information covered by each of the document types (column 3 line 67 – column 4, line 2, “each binary file may include a text file, a graphical image, a video image, a data file or an audio file”);

a proposed file name for an imaged version of each of the document types (column 27, lines 3 - 4, “as long as the asset name remains the same, the user may use any file name to replace it.”).

It would have been obvious to one of ordinary skill in the art of project management to enhance a project management device such as the Ruffin et al invention with the additional documentation specific functionality of the Dan et al invention because documentation and the ability to manipulate documents be it electronic or print, is an essential component of any business system. The ability to store, change, reformat and save documents related to a project is necessary in order to communicate technical, project related concepts between the technical persons on a project team and the business people on the project planning and conception side of a project. The great advantage to adding the document manipulation aspects to the project management invention is to foster increased communications between technical and business

Art Unit: 3623

persons, while increasing accuracy of said communications by creating a more detailed audit trail for a project.

13. As per claims 10, 20, 29 and 42, Dan et al teaches a system and method, wherein the information on the document formats is provided in a table form (column 3, lines 31 - 33, “an optional object manager may create one or more code tables, in the database”).

14. As per claims 11, 12, 21, 30, 43 and 44, Dan et al teaches a system and method, wherein the control component comprises:

a plurality of contingency guidelines for addressing each of a plurality of predetermined errors and situations that may arise in the use of the image-based document handling and delivery system (column 24, lines 14 - 16, “the web management system may include known common typing errors and automatically check for and correct them”);

a reporting component that provides one or more reports on a plurality of performance factors relating to use of the image-based document handling and reporting system (column 3, lines 36 - 37, “an optional error manager may report any error”).

15. As per claims 13, 22, 31 and 45, Ruffin et al discloses a system and method, wherein the error resolution guidelines comprise a list of errors, identifying an occurrence for each of the errors, correcting each error, solutions for each error, communicating the errors, a time frame for correcting each errors, identity of entity responsible for confirming that an error occurrence has been corrected (column 24, lines 12 - 18).

16. As per claims 14, 15, 23, 24, 32 and 46, Ruffin et al discloses a system and memory for implementing an image-based document handling and delivery system, comprising:

Art Unit: 3623

a list of a plurality of frequently asked questions about the image-based document handling and delivery systems and a corresponding answer for each of the frequently asked questions (column 13, line 40 – column 14, line 28 “Table 2 Customer Profiling Questions”);

a questionnaire for an entity to complete (column 9, line 65 – column 10, line 15, “Table 1, Sample Qualification Questionnaire”);

at least one process map that provides a plurality of steps for executing the image-based document handling and delivery system (column 8, lines 49 – 50, “a graphical representation of the interrelationship of these programs and the data presented”);

Ruffin et al does not teach information on document formats, error reports, or performance factor reports.

Daniel teaches:

information on a plurality of document formats for use with the image-based document handling and delivery system (column 24, lines 58 - 59, “the template field may include a document that controls the basic “look and feel” of the pages in a site”);

a plurality of contingency guidelines for addressing a plurality of predetermined errors and situations that may arise in use of the image-based document handling and delivery system (column 24, lines 14 - 16, “the web management system may include known common typing errors and automatically check for and correct them”);

a reporting component that provides one or more reports on a plurality of performance factors relating to use of the image-based document handling and delivery

Art Unit: 3623

system (column 23, lines 42 – 50, “an optional report feature may allow the user to run a variety of site management reports on the user's web site. Reports include, for example, the largest object files, the newest pages, the oldest pages, the pages by owner, the pages by structure, the largest assets, the oldest assets, the newest assets, the assets by owner, and/or the most frequently visited pages, and any combination thereof”).

It would have been obvious to one of ordinary skill in the art of project management to enhance a project management device such as the Ruffin et al invention with the additional documentation specific functionality of the Dan et al invention because documentation and the ability to manipulate documents and to identify and correct errors in said documents, be they electronic or print, is an essential component of any business system. The ability to store, change, reformat and correct documents related to a project is necessary in order to communicate technical, project related concepts between the technical persons on a project team and the business people on the project planning and conception side of a project. The great advantage to adding the document manipulation aspects to the project management invention is to foster increased communications between technical and business persons, while increasing accuracy of said communications by creating a more detailed audit trail on a project.

Art Unit: 3623

Conclusion

17. No claims were allowed and all claims were rejected.
18. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Yasunobu et al (US 5,006,998) – Storage of know how and intentions of a client
Oliver (US 5,907,490) – Project management monitoring device
Weinberg (US 6,237,006) – Web page development device
Arora et al (US 5,911,145) – Web page design device
www.microsoft.com/frontpage - web document page builder as archived on May 8, 1999

19. Any inquiry concerning this communication or earlier communications from the Examiner should be directed to Eric Shaffer whose telephone number is (703) 305-5283. The Examiner can normally be reached on Monday-Friday, 8:30 am - 5:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Tariq Hafiz can be reached on (703) 305-9643.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Receptionist whose telephone number is (703) 305-3900.

Any response to this action should be mailed to:
Commissioner of Patents and Trademarks
Washington D.C. 20231

Or faxed to:

(703) 746-7238 [After Final communications, labeled "Box AF"]
(703) 746-7239 [Official communications]
(703) 706-9124 [Informal/Draft communications, labeled
"PROPOSED" or "DRAFT"]

Hand delivered responses should be brought to Crystal Park 2, 2121 Crystal Drive, Arlington, VA, 5th floor receptionist.

ETS
May 28, 2003


TARIQ R. HAFIZ
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 3600